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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,456	07/27/2001	Stephen B. Bove	260/118	6999

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EXAMINER

BORLINGHAUS, JASON M

ART UNIT PAPER NUMBER

3693

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/915,456	<b>Applicant(s)</b> BOVE ET AL.	
	<b>Examiner</b> Jason M. Borlinghaus	<b>Art Unit</b> 3693	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/7/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 1 – 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Disclosed Prior Art (see specification, pp. 1 – 2) in view of Bell (US Patent 6,766,322) and Salzmann (US Patent 6,711,554).

**Regarding Claims 1 – 4**, Disclosed Prior Art discloses a (manual) property management system, comprising:

- a first one or more data records (owners' manuals, warranty information, maintenance schedules, details of repair work), the first one or more data records for storing data (information) unique to a first property (particular property), said data (information) unique to the first property (particular

property) capable of being used for managing the first property. (see p.1, lines 18 – 24 and lines 28 – 30; p. 2, lines 21 - 26);

- a second one or more data records (personal preferences for particular service professionals), the second one or more data records for storing data (information) unique to a first owner (property owner) of the first property (particular property), said data (information) unique to the first owner (property owner) capable of being used for the first owner's management of the first property in combination with the data unique to the first property. (see p.1, lines 18 – 24 and lines 28 – 30; p. 2, lines 21 - 26); and
- an information management system adapted to parse (pass on) the first one or more data records (information and maintenance schedules) for use by a second owner (new property owner) of the first property after the first property is conveyed from the first owner (selling owner). (see p. 2, lines 8 – 12);
- the information management system further adapted to parse the second one or more data records (personal preferences) for retention by the first owner for use by the first owner in a second property (owner moves to a new property). (see p. 2, lines 26 – 29 – establishing that separation of such data, although “hard to track” and “difficult to coordinate,” can be handled and retained); and

- integrating (coordinating) the second one or more data records (personal preferences) with a third one or more data records (new property information) after the first owner is conveyed the second property (owner moves to new property), the third one or more data records for storing data unique to the second property, said data unique to the second property capable of being used for managing the second property in combination (coordination) with the second one or more data records (personal preferences). (see p. 2, line 21 – 29).

Disclosed Prior Art does not teach underlined claim limitations – a system wherein a property management system, comprising:

- a database;
- a first one or more data records stored in the database, the first one or more data records for storing data unique to a first property, said data unique to the first property capable of being used for managing the first property;
- a second one or more data records in the database, the second one or more data records for storing data unique to a first owner of the first property, said data unique to the first owner capable of being used for the first owner's management of the first property in combination with the data unique to the first property; and

- a database management system adapted to parse the first one or more data records for use by a second owner of the first property after the first property is conveyed from the first owner;
- the database management system further adapted to parse the second one or more data records for retention by the first owner for use by the first owner in a second property;
- wherein the database management system is further for populating the first data record by receiving at least a portion of the data unique to the first property from a multiple listing service;
- wherein the database management system is for receiving the at least a portion of the data unique to the first property after the address of the first property is matched with corresponding data in the multiple listing service.

Utilization of databases and database management systems for storage and generation of relevant real estate documentation is old and well known in the art of information systems, as evidenced by Salzmann (see abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art by incorporating a database and a database management system, as disclosed by Salzmann, allowing for automation of an otherwise manual paper-based documentation process.

Populating record information through receiving information from another database, such as a multiple listing service, is old and well known in the art of information systems, as evidenced by Bell (see col. 5, lines 55 – 62; col. 10, lines 28 –

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32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art and Salzmann by incorporating the ability to extract information from additional databases, such as a multiple listing service, as disclosed by Bell, allowing for extraction of information from a prior existing information source.

Retrieval of record information from a multiple listing service after the matching of an entered property identifier, such as an address, is old and well known in the art of information technology. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Salzmann and Bell by incorporating the ability to receive data after the matching of an address with corresponding data in the multiple listing service, allowing for extraction and receipt of only relevant property data.

**Regarding Claims 5 - 7**, Claims 5 – 7 recite similar limitations and/or would have been obvious based upon Claims 1 - 2 rejected above, and are therefore rejected using the same art and rationale as applied in the rejection of Claims 1 - 2.

**Regarding Claims 8 – 9**, Disclosed Prior Art discloses a system wherein:

- the information management system is for providing data records from the first and/or the second one or more data records to a third party (seller's agent). (see p. 2, lines 14 – 17); and
- wherein said third party is a seller's agent.

Disclosed Prior Art does not teach underlined claim limitations - a system wherein:

- the database management system is for providing data records from the first and/or the second one or more data records to a third party.

Utilization of databases and database management systems for storage and generation of relevant real estate documentation is old and well known in the art of information systems, as evidenced by Salzmann (see abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Salzmann and Bell by incorporating a database and a database management system, as disclosed by Salzmann, allowing for automation of an otherwise manual paper-based documentation process.

**Regarding Claims 10 – 13,** Disclosed Prior Art discloses a system wherein:

- the information management system is further for parsing (passing along) and integrating (coordinating) data records. (see p.1, lines 18 – 24 and lines 28 – 30; p. 2, lines 21 - 26); and
- the information management system (tools) is further for monitoring and obtaining (tracking) and using the data to track home value (valuation) and equity (equity). (see p. 1, lines 22 – 24).

Disclosed Prior Art does not teach underlined claim limitations - a system wherein:

- the database management system is further for parsing and integrating data records and providing notice to the first owner when a milestone has been reached;



- the database management system is further for monitoring and obtaining data relating to comparative sales data from a multiple listing service and using the data to track home value and equity;
- the database management system is further for monitoring advertisements and parsing and integrating the first and the second one or more data to channel advertisements to the first owner; and
- the database management system is further for monitoring the second one or more data records and notifying the first owner when a private mortgage insurance may be cancelled.

Utilization of databases and database management systems for storage and generation of relevant real estate documentation is old and well known in the art of information systems, as evidenced by Salzmann (see abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Salzmann and Bell by incorporating a database and a database management system, as disclosed by Salzmann, allowing for automation of an otherwise manual paper-based documentation process.

Providing an alert and/or notice to a system user when a milestone and/or parameter is satisfied is old and well known in the art of information technology. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Salzmann and Bell to provide notice to the first owner when a milestone had been reached, such as an approaching scheduled maintenance task (see Disclosed Prior Art, p. 2, lines 23 – 25) or a financial analysis

milestone (see Disclosed Prior Art, p. 1, lines 22 – 24), allowing a system user to remain informed and/or notified.

Obtainment of comparative sales data from a multiple listing service in order for an owner to value their own property is old and well known in the art of real estate valuation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Salzmann and Bell to provide the system the capability to obtain such information, as it is standard and/or conventional to utilize such information to assess value of a property and/or market conditions within its geographic region, and as Bell obtains data concerning general real estate conditions and/or market conditions (see Bell, fig. 10A).

Directed advertising is old and well known in the art of advertising and information technology. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Salzmann and Bell to channel advertisements to the system user, such as the property owner, upon the basis of the owner's data stored in the system, allowing for targeted advertising designed to satisfy the particular needs and/or concerns of the recipient of such advertising.

**Regarding Claims 14 - 23**, Claims 14 - 23 recite similar limitations and/or would have been obvious based upon Claims 1 - 13 rejected above, and are therefore rejected using the same art and rationale as applied in the rejection of Claims 1 – 13.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Borlinghaus whose telephone number is (571) 272-6924. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ELLA COLBERT  
PRIMARY EXAMINER